



---

2004 Decisions

Opinions of the United  
States Court of Appeals  
for the Third Circuit

---

2-20-2004

## USA v. Rivera

Follow this and additional works at: [https://digitalcommons.law.villanova.edu/thirdcircuit\\_2004](https://digitalcommons.law.villanova.edu/thirdcircuit_2004)

---

### Recommended Citation

"USA v. Rivera" (2004). *2004 Decisions*. 947.

[https://digitalcommons.law.villanova.edu/thirdcircuit\\_2004/947](https://digitalcommons.law.villanova.edu/thirdcircuit_2004/947)

This decision is brought to you for free and open access by the Opinions of the United States Court of Appeals for the Third Circuit at Villanova University Charles Widger School of Law Digital Repository. It has been accepted for inclusion in 2004 Decisions by an authorized administrator of Villanova University Charles Widger School of Law Digital Repository.

PRECEDENTIAL

UNITED STATES COURT OF APPEALS FOR THE THIRD CIRCUIT

---

No. 02-3067

---

UNITED STATES OF AMERICA,

Appellee

v.

ISAAC RIVERA,

Appellant

---

ON APPEAL FROM THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEW JERSEY

District Court Judge: Honorable Jerome B. Simandle  
(D.C. Crim. No. 01-cr-00373-5)

---

Argued: December 4, 2003

Before: SLOVITER and ALITO, Circuit Judges, and  
OBERDORFER, \* District Judge.

---

ORDER AMENDING OPINION

---

\* The Honorable Louis F. Oberdorfer, Senior District Judge for the District of Columbia, sitting by designation.

IT IS ORDERED that the slip opinion in the above case, filed February 9, 2004, be amended as follows:

Footnote 4 should be revised to read as follows:

The availability of *de novo* review on appeal regardless of whether Rivera formally objected to the government's advocacy makes it unnecessary for us to pursue the question of whether this indirect notice entitles Rivera to *de novo* review on independent grounds.

Footnote 6 should be deleted in its entirety and prior footnotes 7, 8 and 9 should be renumbered accordingly.

By the Court,

/s/ Louis F. Oberdorfer  
District Judge

Dated: February 20, 2004